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Agenda item 82

Expulsion of aliens

Report of the Sixth Committee

Rapporteur: Mr. Peter **Nagy** (Slovakia)

I. Introduction

1. The item entitled "Expulsion of aliens" was included in the provisional agenda of the seventy-second session of the General Assembly pursuant to Assembly resolution 69/119 of 10 December 2014.

2. At its 2nd plenary meeting, on 15 September 2017, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 14th, 15th, 25th and 28th meetings, on 12, 13 and 31 October and on 3 November 2017. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary records.[1]

II. Consideration of draft resolution A/C.6/72/L.13

4. At the 25th meeting, on 31 October, the representative of Paraguay, on behalf of the Bureau, introduced a draft resolution entitled "Expulsion of aliens" (A/C.6/72/L.13).

5. At its 28th meeting, on 3 November, the Committee adopted draft resolution A/C.6/72/L.13 without a vote (see para. 6).

[1] A/C.6/72/SR.14, A/C.6/72/SR.15, A/C.6/72/SR.25 and A/C.6/72/SR.28.

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III. Recommendation of the Sixth Committee

6. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Expulsion of aliens

The General Assembly,

Recalling its resolution 69/119 of 10 December 2014,

Having considered chapter IV of the report of the International Law Commission on the work of its sixty-sixth session,[1] which contains the draft articles on the expulsion of aliens,[2]

Noting that the International Law Commission decided to recommend to the General Assembly (a) to take note of the draft articles on the expulsion of aliens in a resolution, to annex the articles to the resolution, and to encourage their widest possible dissemination; and (b) to consider, at a later stage, the elaboration of a convention on the basis of the draft articles,[3]

Emphasizing the continuing importance of the codification and progressive development of international law, as referred to in Article 13, paragraph 1 (a), of the Charter of the United Nations,

Noting that the subject of the expulsion of aliens is of major importance in the relations of States,

Taking note of the comments of Governments and the discussion in the Sixth Committee at the sixty-ninth session of the General Assembly on the subject,[4]

1. *Expresses its appreciation* to the International Law Commission for its continuing contribution to the codification and progressive development of international law;

2. *Takes note* of the articles on the expulsion of aliens presented by the International Law Commission,[2] and acknowledges the comments expressed by Governments in the Sixth Committee at the seventy-second session of the General Assembly on the subject;[5]

3. *Decides* to include in the provisional agenda of its seventy-fifth session the item entitled "Expulsion of aliens", with a view to examining, inter alia, the question of the form that might be given to the articles or any other appropriate action.

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[1] *Official Records of the General Assembly, Sixty-ninth Session, Supplement No. 10* (A/69/10).

[2] Ibid., para. 44.

[3] Ibid., para. 42.

[4] See A/C.6/69/SR.19, A/C.6/69/SR.20, A/C.6/69/SR.21, A/C.6/69/SR.22, A/C.6/69/SR.24 and A/C.6/69/SR.27.

[5] See A/C.6/72/SR.14 and A/C.6/72/SR.15.